

STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY

May 19, 2004

A regular meeting of the New Hampshire Board of Pharmacy was held on **May 19, 2004** at the Board office, 57 Regional Drive, Concord, New Hampshire. The meeting was **called to order at 9:05 a.m.** with President Margaret E. Hayes presiding.

I. ROLL CALL - AGENDA REVIEW - ANNOUNCEMENTS

PRESENT

Margaret E. Hayes, President
Kristina Genovese, Vice-President
George L. Bowersox, Treasurer
Sandra B. Keans, Secretary
Vahrij Manoukian, Member
Ronald L. Petrin, Member

ALSO PRESENT

Paul G. Boisseau,
Executive Secretary
Peter A. Grasso
Chief Compliance Investigator

ALSO ATTENDING

Donna Farrar - 6th year student MCPHS-Boston. Guest of Commissioner Petrin.
Katherine Nguyen - 6th year student MCPHS-Boston. Guest of Commissioner Petrin.

II. REVIEW OF ACTION ITEMS

A. **FLORIDAINFUSION/NATIONS DRUG**

1053 Progress Court
Palm Harbor, FL 34683

Non-compliance with request to license as a wholesaler/distributor, according to RSA 318:51-a, and doing business in the State of NH.

Board review: November 19, 2003

Awaiting response from Florida Infusion/Nations Drug to Attorney General's March 2, 2004 letter alleging violation of RSA 318:51-a **and the Board's subsequent request that the Attorney General pursue criminal prosecution.**

(See April 21, 2004 meeting minutes).

B. FLORIDA INFUSION PHARMACY

4190 Corporate Court
Palm Harbor, FL 34683

Non-compliance with request to license as a mail-order pharmacy, according to RSA 318:37,II(a) and doing business in the State of NH.

Board review: November 19, 2003

Awaiting response from Florida Infusion Pharmacy to Attorney General's March 2, 2004 letter alleging violation of RSA 318:51-a **and the Board's subsequent request that the Attorney General pursue criminal prosecution.**
(See April 21, 2004 meeting minutes).

C. Medication Assistance Programs

Pursuant to Commissioner Bowersox's preliminary report at the March 17, 2004 Board meeting (see *Minutes*), a comprehensive report of findings and proposed resolution (action guidelines) is still in process. The Board is currently reviewing Ohio's Drug Repository Program which allows for the donation of previously dispensed prescription drugs to locations that would use them for treating patients who were unable to pay. Staff is also in the process of contacting other state boards of pharmacy for input.

D. Automated Dispensing Machines

Update on labeling of Baxter-type cells utilized in automatic (robotic) dispensing systems.

Agenda item tabled January 21, 2004 pending additional information.

Issue continues to be researched.

III. REVIEW / ADOPTION OF MINUTES

Minutes of the **April 21, 2004 regular meeting** of the Board were accepted as submitted. **(Petrin/Genovese). Voted (unanimous).**

N.B. Minutes of the April 21, 2004 special meeting (work session on rulemaking)

were tabled to the June 16, 2004 meeting of the Board for final review and vote.

IV. LICENSING

A. **Pharmacist**

1. Disciplinary

MORGAN, William H.

9 Burnside Street

Lancaster, NH 03584

NH License No. R0807

Docket No. 04-006

Order to Show Cause for consideration of removal of restriction imposed by the Board's Decision and Order dated April 17, 1997.

Mr. Morgan's request for a hearing was withdrawn on May 17, 2004.

2. Reinstatement

WONG, Selena K.

128 Summer Street

Peterborough, NH 03458

Motion (Bowersox/Genovese) to reinstate Ms. Wong's NH license (No. R1488) provided that she amend her application for reinstatement disclosing a Reprimand that was issued to her on September 18, 2003 by the Oregon Board of Pharmacy. Voted (unanimous).

B. **Pharmacy**

1. New

a. **HANNAFORD PHARMACY #163**

481 West Street

Keene, NH 03431

Pharmacist-In-Charge: **Richard R. Crowe, Jr., R.Ph.**

NH License No. R1297

Corporate Officer/Supervisor: **James M. Queenan, R.Ph.**

Pharmacy Operations Manager

Application complete.

Motion (Keans/Bowersox) granting a temporary permit to Hannaford Pharmacy #163 located at 481 West Street, Keene, NH based upon successful completion of the primary inspection, and issuance of the original permit upon successful completion of the secondary inspection pursuant to Ph 305.02. Voted (unanimous).

b. KINDRED PHARMACY SERVICES

38 Locke Road, Unit 3
Concord, NH 03301

Pharmacist-In-Charge: **John M. Tracy, R.Ph.**

NH License No. R1789

Corporate Officer/Supervisor: **Andy Tsapatsaris**

Regional Director of Operations

Application complete.

Motion (Keans/Manoukian) granting a temporary permit to Kindred Pharmacy Services located at 38 Locke Road, Unit 3, Concord, NH based upon successful completion of the primary inspection, and issuance of the original permit upon successful completion of the secondary inspection pursuant to Ph 305.02. Voted (unanimous).

2. Change in Ownership

SHAW'S PHARMACY #348	-	Derry, NH
SHAW'S PHARMACY #349	-	Londonderry, NH
SHAW'S PHARMACY #352	-	Goffstown, NH
SHAW'S PHARMACY #370	-	Tilton, NH
SHAW'S PHARMACY #372	-	Littleton, NH
SHAW'S PHARMACY #373	-	Gilford, NH
SHAW'S PHARMACY #374	-	Center Conway, NH
SHAW'S PHARMACY #375	-	Manchester, NH
SHAW'S PHARMACY #376	-	Merrimack, NH
SHAW'S PHARMACY #391	-	Nashua, NH
SHAW'S PHARMACY #392	-	Concord, NH
SHAW'S PHARMACY #393	-	North Hampton, NH
SHAW'S PHARMACY #395	-	Nashua, NH
SHAW'S PHARMACY #396	-	Hillsboro, NH
SHAW'S PHARMACY #465	-	Keene, NH

Pharmacy name, location and pharmacist-in-charge remain the same for all NH locations as currently licensed.

Pursuant to an opinion rendered by the Attorney General's Office, this transaction does not constitute a change of ownership per se (see minutes of May 19, 2004 special meeting).

Applications and fees returned to corporate entity (Shaw's Supermarkets, Inc.)

3. Change in Location

DARTMOUTH-HITCHCOCK PHARMACY

1 Medical Center Drive
Lebanon, NH 03756

No address change – new area located within same building.

Application complete.

Motion (Keans/Manoukian) to approve the relocation of Dartmouth Hitchcock Pharmacy to a new area located in the same building and to grant licensure effective upon the successful completion of a site inspection by the Compliance Unit. Voted (unanimous).

4. Extension-Of-Time

NORTHEAST PHARMACY SERVICES

125 North Main Street, Suite 2
Concord, NH 03301

Pharmacist-In-Charge: **Leon R. Parker, R.Ph.**

NH License No. R0867

Corporate Officer/Supervisor: **Charles J. Fanaras, R.Ph.**

President

Application reviewed and accepted by the Board on March 17, 2004.

Motion (Petrin/Keans) to approve a request for a 60-day extension-of-time relative to the site inspection [according to Ph 305.02(a)] due to construction delays. Voted (unanimous).

V. COMPLIANCE UNIT

A. **Activity Report**

- April 2004

Motion (Manoukian/ Bowersox) to accept the report as submitted. Voted (unanimous).

VI. NEW BUSINESS

A. **Fifty Year Gold Certificates**

-HORN, Gerard J.

Laconia, NH

NH License No. 1492

Date of original licensure: June 24, 1954

-PALMER, Donald R.

North Hampton, NH

NH License No. 1481

Date of original licensure: June 23, 1954

-RHODES, SR., Norman E.

Bow, NH

NH License No. R0297

Date of original licensure: January 21, 1954

-WHITNEY, Bradley

Nashua, NH

NH License No. 1491

Date of original licensure: June 23, 1954

Motion (Petrin/Keans) to confer 50-year anniversary “Gold Certificates” to the above-referenced pharmacists according to Ph 401.07 of the NH Code of Administrative Rules. Voted (unanimous).

B. **Request for Authorization**

THE PRESCRIPTION CENTER

125 North Main Street

Concord, NH 03301

Request to permit electronic transfers of prescriptions between The Prescription Centers located at 125 North Main Street in Concord, NH and 246 Pleasant Street, also in Concord, NH.

Given that each location has a different system and that there is no database that is common to each pharmacy, the request is **denied**.

C. **Appointments to Pharmacy and Therapeutic Advisory Committee (PTAC)**

of the NH Medicaid PBM Program.

Motion (Petrin/Bowersox), pursuant to the provisions of SB 383-FN (2004 Session of the Legislature), to appoint the following pharmacists to serve on the PTAC effective immediately and for a term of service to continue until duly replaced at the request of either the appointee or the Board:

Leon R. Parker, B.S., R.Ph.

38 Profile Avenue – Concord, NH 03301
NH License No. R0867

Paul D. Santos, PharmD, R.Ph.

548 Steele Hill Road – Sanbornton, NH 03269
NH License No. R1503

Voted (unanimous).

VII. ADJOURNED 11:08 A.M.

Respectfully submitted,

Sandra B. Keans
Secretary
FOR THE BOARD